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President
NAN ARON
Chair
CLAY HILES

Amnesty
ADA Watch
AIDS Fight
Asian American Legal Defense and Education Fund
Bohannon Center for Mental Health Law
Business and Professional People
for the Public Interest
Center for Children's Law and Policy
Center for Constitutional Rights
Center for Digital Democracy
Center for Law and Social Policy
Center for Law in the Public Interest
Center for Reproductive Rights
Center for Justice in the Public Interest
Children's Defense Fund
Comprehensive Health Education Foundation
Conservation Quilchstein
Consumers Union
Constitution Rights Education and Defense Fund
Drug Policy Alliance
Earthjustice
Economic Liberty Center
Equal Rights Advocates
Ethics Research & Action Center
Harmon, Gerson, Spiegelberg & Eisenberg
Human Rights Campaign Foundation
Institute for Public Policy Studies
Justice Policy Institute
Juvenile Law Center
Law Center
Lawyers' Committee for Civil Rights Under the Law
League of Conservation Voters Education Fund
Legal Aid Society of New York
Legal Aid Society/Employment Law Center
Legal Momentum
Marshall University of Law
Mexican American Legal Defense
and Educational Fund
NAACP Pro-Choice America Foundation
National American Foundation
National Association of Criminal Defense Lawyers
National Campaign for Sustainable Agriculture
National Center for Law and Economic Justice
National Center for Lesbian Rights
National Center for Youth Law
National Center on Poverty Law
National Citizens' Coalition for Nursing Home Reform
National Council on Economic Education
National Council of Nonprofit Associations
National Education Association
National Employment Lawyers Association
National Family Planning and Reproductive Health Assoc.
National Immigration Forum
National Immigration Law Center
National Law Center on the Disbarment and Revocation
National Lawyers Guild
National Legal Aid & Defender Association
National Low Income Housing Coalition
National Multiple Health Association
National Policy Institute on Women and Families
National Senior Citizens Law Center
National Veterans Legal Services Program
National Women's Law Center
National Youth Advocacy Coalition
Native American Rights Fund
National Resources Defense Council
New York Lawyers for the Public Interest
One United Voice
Physicians for Human Rights
Rainbow Parenthood Federation of America
Reproductive Justice
Service Employees International Union
Seton Hall School of Law
State of New York
State of New York
The Skirball Foundation
The Women's Center
Tides Center
University of Pennsylvania Law School
Public Service Program
Volunteer Police Center
Women's Law Project
Workforce

March 12, 2008

VIA FACSIMILE & U.S. MAIL

Chairman Ross Johnson
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814

**RE: March 13, 2008 Agenda Item #9
Permanent Adoption of Emergency Regulation 18413**

Dear Chairman Johnson:

I write on behalf of Alliance for Justice regarding the permanent adoption of Emergency Regulation 18413.

Alliance for Justice is a national association of environmental, civil rights, mental health, women's, children's, and consumer advocacy organizations. As part of its advocacy activities, Alliance for Justice works to increase nonprofit involvement in the policymaking process and provides nonprofit organizations with workshops and individualized technical assistance on various areas of law, including Political Reform Act provisions.

As you may be aware, because initiatives, referenda, state constitutional amendments, city charter amendments, bond measures, and declarations of policy voted on by the electorate involve the passage of law, rather than the election or selection of candidates, it is therefore permissible lobbying activity of a public charity. Consequently, how Regulation 18413 defines a "multipurpose" organization is a significant issue for many of our member organizations. Because the alternative event-based reporting of this regulation, as drafted, is available only to 501(c)(4) organizations, our member nonprofits organized under 501(c)(3) of the Internal Revenue Code will, in effect, be subject to more burdensome disclosure requirements than their 501(c)(4) counterparts, when engaging in the same type of ballot measure activity. In our view, this result is contrary to the court's decision in *California Pro-Life Council, Inc. v. Randolph*, which did not distinguish 501(c)(3) organizations in its opinion.

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We understand that this issue has been previously raised at several of your agency meetings but that changes were not made to allow the regulation's application to 501(c)(3) organizations. We urge you to reconsider this issue and allow the alternative reporting to be available to these organizations.

Sincerely yours,

A handwritten signature in cursive script that reads "Melissa Mikesell".

Melissa Mikesell
Senior Counsel
Alliance for Justice, West Coast Office